

5th July,
2024
(AK)
06

**WPCRC 104 of 2024
(CPAN 421 of 2024)
In
WPA 12107 of 2023**

M/s Kankuria Chowdhury
Vs.
Sujit Kumar Lodh and others

Mr. Pushpal Chakraborty
Mr. A. Sengupta
Ms. Deboleena Ghosh
...for the petitioner.

Mr. Sk. Md. Galib
Mr. Subhra Nag
...for the alleged contemnor nos.1 & 2.

1. The alleged contemnors are personally present in court as per previous direction.
2. Learned counsel for the alleged contemnors files a compliance report by way of a cause shown to the Rule issued by this court.
3. Learned counsel for the petitioner submits that whereas the Rule was issued on May 10, 2024, the copy of the contempt application was received by the alleged contemnors on May 13, 2024, that is, thereafter, for which they could not be represented or be present in court on the day when the Rule was issued.

4. Further, it is submitted that the order of this court has been complied with in the meantime.
5. Learned counsel appearing for the petitioner hands over a communication dated June 5, 2024 along with a copy of a purported Resolution of meeting in connection with LPG in AWCs of Samserganj ICDS Project, Murshidabad.
6. It is submitted that the alleged contemnors did not intimate the petitioner as to when to produce the documents which were directed to be permitted to be produced by the petitioner.
7. From paragraph no. 8 of the parent order dated December 6, 2023, it is seen that this court had allowed the writ petition bearing WPA 12107 of 2023, directing the respondent no.6, that is, the Block Development Officer of the Samserganj Development Block, Ratanpur, Murshidabad to permit the petitioner also to deposit the quotation and demand letter/proforma for security deposit to the office of the CDPO, Samserganj ICDS Project, Jangipur, Murshidabad by deeming that the petitioner is also one of the allottees under the resolution.
8. As such, there was no specific direction on the alleged contemnors to give a further notice to the

petitioner or fix a date of hearing for the petitioner to come and submit such documents.

9. The direction was restricted to the alleged contemnors to permit the petitioners to deposit such quotation and demand letter/ proforma for security deposit, obviously, as and when those were presented by the petitioner.
10. Since there is nothing on record to show that the petitioner ever attempted to present those documents to the alleged contemnors and was refused from doing so, I do not find that there is any contumacious or deliberate violation of the direction of this court at least in that regard.
11. Since a decision has been taken now by the alleged contemnors, there would not be any further utility of keeping the contempt application or the Rule pending.
12. In any event, it will always be open to the petitioner to challenge the decision taken by the alleged contemnors pursuant to the direction of this court in an independent challenge on its own merits.
13. In view of the above observations, WPCRC 104 of 2024 is discharged and CPAN 421 of 2024 is also stands disposed of.
14. Further personal appearance of the alleged contemnors is dispensed with.

15. There will be no order as to costs.
16. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)